

# North Dakota Board of Nursing Meeting Minutes – March 11, 2010

Call to Order:	March 11, 2010 at 8:30 a.m. – Board of Nursing Conference Room, 919 S 7 <sup>th</sup> Street Ste 504 Bismarck ND		
Roll Call:	Seven board members present as follows:		
	Nelson (Buzz) Benson, RN, President	Julie Traynor, RN, Vice-President	
	Charlene Christianson, RN, Treasurer	JoAnn Sund, RN	
	Daniel Rustvang, RN	Elizabeth Anderson, LPN	
	Karen LaLonde, Public Member		
Absent:	Melissa Frank, LPN		
Staff Present:			
	Constance Kalanek, RN, Executive Director	Karla Bitz, RN, Associate Director	
	Patricia Hill, RN, Asst. Director for Practice & Discipline	Julie Schwan, Admin Services Coordinator	
	Linda Shanta, RN, Associate Director for Education		

AGENDA	ACTION
1.1 Consent Agenda	<i>Discussion:</i> The board reviewed the consent agenda. No items were identified for discussion. <i>Motion:</i> Sund, seconded by Traynor to: <b>ADOPT THE CONSENT AGENDA AS PRESENTED.</b> <i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.
1.2 Agenda	<i>Discussion:</i> The agenda was reviewed as distributed. <i>Motion:</i> Traynor, seconded by Christianson to: <b>APPROVE THE AGENDA AS DISTRIBUTED.</b> <i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.
1.3 Open Forum 9:00 a.m.	No one was present to address the board during open forum.
2.1 January 14, 2010 Meeting Minutes	<i>Discussion:</i> The minutes of the January 14, 2010 meeting were reviewed. No changes were identified. <i>Motion:</i> Sund, seconded by Traynor to: <b>APPROVE THE MINUTES OF THE JANUARY 14, 2010 MEETING AS DISTRIBUTED.</b> <i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.
3.1 Financial Statements	Financial Statements through February 28, 2010 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Actual Income is at 88% and actual expenses were at 71% of budgeted.
3.2 ACH Direct Deposit for Board Reimbursement	<i>Discussion:</i> The capability to do ACH direct deposit for board member and staff reimbursement is now available and members were requested to complete the necessary form if they wish to use this option. <i>Motion:</i> Sund, seconded by Traynor to: <b>APPROVE ACH DIRECT DEPOSIT OPTION FOR BOARD MEMBERS AND STAFF.</b> <i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.
3.3 Interim Report for Strategic Plan July 1- December 31, 2009.	<i>Discussion:</i> The board reviewed the progress of the strategic plan from July 1, 2009 through December 31, 2009. <i>Motion:</i> Anderson, seconded by LaLonde to: <b>APPROVE THE INTERIM REPORT FOR STRATEGIC PLAN JULY 1 – DECEMBER 31, 2009 AS DISTRIBUTED.</b> <i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.
3.4 Revisions to Bylaws	The board reviewed proposed revisions to the bylaws to address the appointment of external nursing community representative appointees and the term and to add a new Technology Committee to the bylaws. The proposed revisions limit the appointment of the terms to no more than two consecutive terms on a committee.

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4.1 Administrative Settlements – Practice	<p><i>Discussion:</i> Eight individuals have signed and submitted an administrative settlement for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to:</p> <p style="text-align: center;"><b>ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</b></p> <table><tr><th>NAME</th><th>Lic/Reg #</th><th>City, State</th><th>Sanction</th><th>Penalty Fee</th></tr><tr><td>Bennett, Laura</td><td>L12491</td><td>Crookston, MN</td><td>Reprimand</td><td>\$400</td></tr><tr><td>Gjovig, Lori</td><td>Initial UAP/MA</td><td>Crosby, ND</td><td>Reprimand</td><td>\$100</td></tr><tr><td>Jeglum, Lynae</td><td>Initial UAP</td><td>Crosby, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Neiss, Rebecca</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$400</td></tr><tr><td>Roggenbuck, Cassandra</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$100</td></tr><tr><td>Schaff, Kelsie</td><td>R34552</td><td>Bismarck, ND</td><td>Reprimand</td><td>\$400</td></tr><tr><td>Schultz, Nicholas</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$100</td></tr><tr><td>Strange, Lori</td><td>Initial UAP</td><td>Minot, ND</td><td>Reprimand</td><td>\$100</td></tr></table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Bennett, Laura	L12491	Crookston, MN	Reprimand	\$400	Gjovig, Lori	Initial UAP/MA	Crosby, ND	Reprimand	\$100	Jeglum, Lynae	Initial UAP	Crosby, ND	Reprimand	\$200	Neiss, Rebecca	Initial UAP	Minot, ND	Reprimand	\$400	Roggenbuck, Cassandra	Initial UAP	Minot, ND	Reprimand	\$100	Schaff, Kelsie	R34552	Bismarck, ND	Reprimand	\$400	Schultz, Nicholas	Initial UAP	Minot, ND	Reprimand	\$100	Strange, Lori	Initial UAP	Minot, ND	Reprimand	\$100
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4.41 Stipulation for Settlement – Jayne Jones, R20189	<p><i>Discussion:</i> A Stipulation for Settlement was received from Jayne Jones, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(6) NDAC 54-02-07-01.1 (5)(6)(7)(9). Board members discussed whether the sanctions were strong enough for the violation.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to:</p> <p style="text-align: center;"><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JAYNE JONES, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"><li>◆ <b>ISSUE A REPRIMAND;</b></li><li>◆ <b>ASSESS A \$800 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li><li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li></ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, no; Traynor, yes; 6 yes, 1 no, 1 absent. Motion carried.</p>																																													
4.42 Stipulation for Settlement – Julia Carlson-Vogel, R28530	<p><i>Discussion:</i> A Stipulation for Settlement was received from Julia Carlson-Vogel, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(4)(5) and NDAC 54-02-07-01.1 (5)(6)(10).</p> <p><i>Motion:</i> Sund, seconded by LaLonde to:</p> <p style="text-align: center;"><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JULIA CARLSON-VOGEL, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"><li>• <b>SUSPEND THE RN LICENSE FOR ONE YEAR;</b></li><li>• <b>ASSESS A \$600 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li><li>• <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li></ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>																																													
4.43 Stipulation for Settlement – Shawn Chroeung, L11724	<p><i>Discussion:</i> A Stipulation for Settlement was received from Shawn Chroeung, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to:</p> <p style="text-align: center;"><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR SHAWN CHROEUNG, LPN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"><li>◆ <b>ENCUMBER THE LICENSE FOR TWO YEARS;</b></li><li>◆ <b>ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li><li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li></ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>																																													
4.44 Stipulation for Settlement – Kara Petron, R30858	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kara Petron, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) NDAC 54-02-07-01.1 (5)(6)(8).</p>																																													

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4.44 Stipulation for Settlement – Kara Petron, R30858 (continued)	<p><i>Motion:</i> Sund, seconded by Traynor to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KARA PETRON, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR ONE YEAR; HOWEVER, THE SUSPENSION SHALL BE STAYED FOR ONE YEAR, DURING WHICH STAY THE LICENSE SHALL BE ENCUMBERED FOR ONE YEAR UNDER THE TERMS SET OUT IN THE BOARD ORDER;</b></li> <li>◆ <b>ASSESS A \$1200.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
4.45 Stipulation for Settlement – Tori Spencer, R30315	<p><i>Discussion:</i> Anderson and Sund recused from this agenda item and left the room. A Stipulation for Settlement was received from Tori Spencer, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (3)(4)(5).</p> <p><i>Motion:</i> Traynor, seconded by LaLonde to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR TORI SPENCER, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$1200 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, recuse; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, recuse; Traynor, yes; 5 yes, 0 no, 1 absent, 2 recuse. Motion carried.</p>
4.46 Stipulation for Settlement – Janet Dumas, L9777	<p><i>Discussion:</i> A Stipulation for Settlement was received from Janet Dumas, LPN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7)(8).</p> <p><i>Motion:</i> Traynor, seconded by Sund to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR JANET DUMAS, LPN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR TWO YEARS; HOWEVER, THE SUSPENSION SHALL BE STAYED FOR TWO YEARS, DURING WHICH STAY THE LICENSE SHALL BE ENCUMBERED FOR TWO YEARS UNDER THE TERMS SET OUT IN THE BOARD ORDER;</b></li> <li>◆ <b>ASSESS A PENALTY FEE OF \$900 PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER.</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
4.47 Stipulation for Settlement – Patricia Gozdal, R28265	<p><i>Discussion:</i> Sund recused from this agenda item. A Stipulation for Settlement was received from Patricia Gozdal, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(8).</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR PATRICIA GOZDAL, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR ONE YEAR; HOWEVER, THE SUSPENSION SHALL BE STAYED FOR ONE YEAR, DURING WHICH STAY THE LICENSE SHALL BE ENCUMBERED FOR ONE YEAR UNDER THE TERMS SET OUT IN THE BOARD ORDER;</b></li> <li>◆ <b>ASSESS A PENALTY FEE OF \$1200 PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, recuse; Traynor, yes; 6 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.48 Stipulation for Settlement – Kendra Zellers, RN Endorsement Applicant	<p><i>Discussion:</i> A Stipulation for Settlement was received from Kendra Zellers, RN applicant, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4). The board reviewed a letter from Ms. Zellers regarding her confusion in interpretation of the questions and request for reconsideration of the penalty fee &amp; sanctions.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR KENDRA ZELLERS, RN APPLICANT, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>ISSUE A REPRIMAND;</b></li> <li>◆ <b>ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>

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4.51 Consent Order – Christine Kuhn, R32517	<p><i>Discussion:</i> A Consent Order was received from Christine Kuhn, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Consent Order for violation of NDCC 43-12.1-14 (3)(4)(5)(6) and NDAC 54-02-07-01.1 (5)(6)(7)(9).</p> <p><i>Motion:</i> Anderson, seconded by LaLonde to:</p> <p><b>ACCEPT THE TERMS OF THE PROPOSED CONSENT ORDER FOR CHRISTINE KUHN, RN, AND ENTER ITS ORDER TO:</b></p> <ul style="list-style-type: none"> <li>◆ <b>SUSPEND THE LICENSE FOR TWO YEARS; HOWEVER, THE SUSPENSION SHALL BE STAYED FOR TWO YEARS, DURING WHICH THE LICENSE SHALL BE ENCUMBERED FOR TWO YEARS UNDER THE TERMS SET OUT IN THE BOARD ORDER;</b></li> <li>◆ <b>ASSESS A PENALTY FEE OF \$1200 PLUS COSTS AND DISBURSEMENTS; AND</b></li> <li>◆ <b>OTHER TERMS AS SET OUT IN BOARD ORDER</b></li> </ul> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
4.71 Request for Reinstatement – Janelle Barta R26608	<p><i>Discussion:</i> Janelle Barta has requested reinstatement of her RN license. The board reviewed the current order and discussed the Disciplinary Review Panel recommendation to reinstate license to full licensure status. The terms and conditions of the board order and the Workplace Impairment Program Agreement dated September 20, 2007 have been successfully completed..</p> <p><i>Motion:</i> Traynor, seconded by Anderson to:</p> <p><b>GRANT JANELLE BARTA'S REQUEST FOR UNRESTRICTED PRACTICE AND SUCCESSFUL PROGRAM COMPLETION OF THE WORKPLACE IMPAIRMENT PROGRAM AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS SET FORTH IN STIPULATION FOR SETTLEMENT DATED SEPTEMBER 20, 2007.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
4.11.1 Miscellaneous – Michael Marcum, R34705	<p>An application for License by Endorsement was received 10/6/2009 from Michael Marum with no positive responses to the regulatory questions. He failed to identify a prior investigation by MO BON in 2007. A PVR was received from Trinity Health in Minot for allegations of professional misconduct and diversion of controlled substances. A Cease and Desist Order was sent to Respondent on February 10, 2010. The Respondent's license is temporarily suspended until retracted, modified or suspended by final disciplinary action of the Board or upon agreement between Respondent and the Board.</p>
4.11.2 Miscellaneous – Tricia Brown, R34926	<p>Tricia Brown passed the RN NCLEX examination February 20, 2010. Board Order dated November 19, 2009 was implemented and Ms. Brown's license is encumbered for two years with participation in the Workplace Impairment Program.</p>
5.21 DNP-LRSC request to deliver portion of ADN program by distance delivery	<p><i>Discussion:</i> Traynor and Christianson recused from this agenda item. DNP-LRSC is requesting consideration for LRSC to transmit one day of the Associate Degree (AD) RN nursing didactic courses to an IVN site in Carrington, ND. This is being requested as a convenience for students in the area for one less day of travel.</p> <p><i>Motion:</i> Anderson, seconded by Rustvang to:</p> <p><b>APPROVE THE REQUEST FROM DAKOTA NURSING PROGRAM-LAKE REGION STATE COLLEGE AT DEVILS LAKE TO DELIVER A PORTION OF THE RN ADN PROGRAM NURSING DIDACTIC COURSES TO AN IVN SITE IN CARRINGTON THE PROGRAM HAS MET THE REQUIREMENTS ACCORDING TO NDAC 54-03.2-07-03.1 PROGRAM DELIVERY.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, recuse; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 5 yes, 0 no, 2 recuse, 1 absent. Motion carried.</p>
5.22 MCO College of Nursing notification of discontinuing RN to BSN program	<p>Medcenter One College of Nursing has notified the board that they will discontinue their RN to BSN program. There are currently no students enrolled in the program and they will not be admitting any students in the future. The board does not have jurisdiction over post licensure programs, so no action is necessary. Staff indicated the demand for accelerated programs is for on-line delivery.</p>
5.31 BSC Medication Assistant II Program revision to curriculum content	<p><i>Discussion:</i> Bismarck State College submitted revisions to their approved medication assistant II program. New textbooks are being used and the curriculum has been updated with a PowerPoint presentation added. The revised course continues to meet the approved guidelines for medication courses.</p> <p><i>Motion:</i> Sund, seconded by Anderson to:</p> <p><b>APPROVE THE CURRICULUM CONTENT REVISION TO THE BSC MEDICATION ASSISTANT II PROGRAM AS IT MEETS THE REQUIREMENTS FOR MEDICATION ASSISTANT PROGRAM II AS SET BY NDAC CHAPTER 54-07-07.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
5.41 Ratification of National Center For Continuing Education request for display on Board's website	<p><i>Discussion:</i> National Center for Continuing Education has requested to be included on the board website link for CE. The request meets the established guidelines.</p> <p><i>Motion:</i> Anderson, seconded by Traynor to:</p> <p><b>RATIFY THE DECISION THAT THE NATIONAL CENTER FOR CONTINUING EDUCATION MEETS THE BOARD'S REQUIREMENTS FOR APPROVED CONTINUING EDUCATION AND TO ADD THEIR WEBSITE LINK ON THE BOARD'S WEBSITE UNDER THE "LINKS" SECTION.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>

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5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> The board reviewed the final progress report for the NFI Grant that was submitted to NCSBN. The NFI team is completing the final statistics and preparing a final report. The board discussed various planned presentations for the final report, and it will be presented to the board at the May meeting. The remaining grant funding will be used for expenses for a reactor panel this month.</p> <p><i>Motion:</i> Sund, seconded by Christianson to:  <b>ACCEPT THE FINAL REPORT OF THE NURSE FACULTY INTERN PILOT STUDY.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
5.51 (a) NFI – Ratification of participants.	<p><i>Discussion:</i> Five applications for the Nurse Faculty Intern Pilot Study have been received since the last meeting that meet the requirements for participation.</p> <p><i>Motion:</i> Anderson, seconded by Sund to:  <b>RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS:</b>  <b>Julie Ternes</b>  <b>Jill McMullen</b>  <b>Deborah Hoverson</b>  <b>Jennifer Verkuehlen</b>  <b>Elizabeth Sandberg</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 6 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
5.52 Report of Out-of-State Students	There are 436 out of state students obtaining clinical experience in ND so far this spring, which is 98 students more than 2009 spring semester.
5.53 Update - Findet Interagency Cooperative	Staff is working on a data sharing agreement contract with FINDET (Follow-up Information on ND Education & Training) and expect to have the contract completed by the end of March. The changes to the contract that were requested by the board have been incorporated into the contract.
5.54 Update ND Career & Technical Education communication	<p>Board staff have been working with staff from ND Career &amp; Technical Education (NDCTE) to develop a contact between the agencies to allow NDCTE staff to do joint nursing program surveys with the board staff and share on-site survey information. The NDCTE and NDBON are required to survey two year nursing programs. A contract has been developed and signed off by both agencies.</p> <p>Since 2003 the ND Board of Nursing no longer has had jurisdiction over students from out of state programs, however the NDCTE must approve any out of state program that places students in ND for clinical experiences. Current law states the programs cannot be physically present in the state without authorization from NDCTE. A number of out of state programs are working with NDCTE to obtain the required authorization. Shanta recommended that this requirement should be added to the guidelines for out-of-state students for review at the May meeting.</p>
5.55 NEL Applicant Darrick Mischke – military deployment	<p>Darrick Mischke is a recipient of the Nursing Education Loan. He has completed his nursing program and has received 1159 employment credit hours with a remaining balance of \$1196.00 Mr. Mischke is serving in the military, and due to two deployments in 2009, has been unable to return to nursing employment in ND. He is scheduled for another deployment in June 2010. Staff recommend forgiveness for the remaining balance of his loan.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to:  <b>ACCEPT THE RECOMMENDATION OF LOAN FORGIVENESS FOR DARRICK MISCHKE, RN, FOR THE REMAINING BALANCE OF HIS NURSING EDUCATION LOAN UPON RECEIPT OF VERIFICATION OF MILITARY DEPLOYMENT.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
6.1 Criminal History Record Checks	The board reviewed the number of CHRC as of December 2009. Total cards sent were FY 09-10 were 1223 with 1083 completed results.
6.2 Recognition of Licensed Nurses – 50 years or more	The board reviewed a list of licensed nurses who were initially licensed 50 years ago and received Certificates of Appreciation from the board. The board began the 50 year certificate last year. This year 10 nurses received the certificate.
6.3 Review and approval of Implementation Plan for Cardless Licensure System	<p>The board reviewed an updated implementation plan for the cardless licensure system. Implementation of the cardless system will begin October 2010 with the RN/LPN renewal cycle. Initial Licensure or Registration will begin January 1, 2011, and UAP renewal implementation to begin April 1, 2011. Articles have been and will continue to be published in the Dakota Nurse Connection throughout the process, and various other mechanisms for informing nurses of the change were reviewed.</p> <p><i>Motion:</i> Sund, seconded by Traynor to:  <b>APPROVE THE UPDATED AND REVISED IMPLEMENTATION PLAN FOR THE CARDLESS LICENSURE SYSTEM TO BEGIN OCTOBER 2010 FOR RN/LPN RENEWAL AND JANUARY 1, 2011 FOR INITIAL AND REACTIVATING LICENSE/REGISTRATION AND APRIL 1, 2011 FOR UAP/MA RENEWAL.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
7.11 Follow-Up with Bio-Life – training of RNs in Fargo facility	The board reviewed a letter from Bergeson to BioLife Plasma Services informing them of a new process for limited practice in the state (thirty days) under section NDCC 43-51-05.

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AGENDA	ACTION
7.12 Request for liaison from Development Disabilities Nurses Association	<p><i>Discussion:</i> The Developmental Disabilities Nurses Association has created a medication management task force to establish guidelines for medication management in community-based settings. They are requesting that the board identify someone to act as a liaison to DDNA and the task force.</p> <p><i>Motion:</i> Traynor, seconded by LaLonde to:  <b>RATIFY THE APPOINTMENT OF PATRICIA HILL, RN, TO PARTICIPATE IN THE DDNA MEDICATION MANAGEMENT TASK FORCE AS A LIAISON FOR THE ND BOARD OF NURSING.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
7.13 Update of discussions with NDDH related to Medical Screening of OB patients	<p>At the November board meeting, the Medical Screening Examination practice statement was repealed as there was an attorney general's opinion that it was outside the scope of practice for RN to perform medical screenings on OB patients. Critical access hospitals have used nurses to perform the medical screenings for an OB patient to determine if a patient is in true labor, and may not have a physician in the ER. The Department of Health has convened a task force to review the issue. Kalanek is participating on the Task Force.</p>
7.14 CMS Rule of Physician Supervision of Outpatient Services	<p><i>Discussion:</i> CMS is proposing new regulations relative to crucial access hospitals. The new rules would require that a physician be present on-site when an RN is providing services. This rule could essentially eliminate services in the rural areas where physicians are not always on site. The board reviewed a letter from state's congressional delegation asking for a delay in implementation of the interpretation of the rules.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to:  <b>CONTINUE TO MONITOR DEVELOPMENTS IN THE FEDERAL CMS RULE OF PHYSICIANS' SUPERVISION OF OUTPATIENT SERVICES AND REVIEW AT THE MAY MEETING.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
7.21 Minimum Dataset Information	<p>The National Forum of State Nursing Workforce Centers (Forum) has developed a Minimum Nurse Supply, Demand and Education Dataset. The purpose was to create a standardization of state-level data collection for the core measures used to evaluate nurse supply, demand, and education.</p>
7.31 NDCC 50-24.1-32 Medical Assistance – Services provided by APRNs	<p><i>Discussion:</i> The board has previously discussed NDCC 50-24.1-32 Medical Assistance – Services provided by advanced registered nurse practitioners and whether that would include the Clinical Nurse Specialists. The addition would allow CNS to also provide and be reimbursed for Medicaid services. There has been support to draft a bill to amend the law for inclusion of Clinical Nurse Specialists.</p> <p><i>Motion:</i> Sund, seconded by Traynor to:  <b>SUPPORT THE ADDITION OF CLINICAL NURSE SPECIALISTS TO NDCC 50-24.1-32 MEDICAL ASSISTANCE – SERVICES PROVIDED BY ADVANCED REGISTERED NURSE PRACTITIONERS.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 absent. Motion carried.</p>
7.32 Discussion related to role and scope of NPs in Critical Access Hospitals (CAH)	<p><i>Discussion:</i> The board office has received calls from NPs in Critical Access Hospitals questioning their scope of practice related to the provision of 24 hour coverage. The NPs are concerned with the extent services they are being asked to provide and regulations related to their scope of practice.</p>
7.42 NLCAEC Summary	<p>The NLCA Executive Committee has been developing a strategic plan for the Nurse Licensure Compact and distinguishing the relationship between the NLCA and NCSBN. The NLCA is authorized by state law. States continue to monitor the compact and duplicate license issues. One state in particular has numerous duplicate compact licenses and will be contacted regarding proper procedures for inactivating licenses.</p>
7.52.1 Long Term Care Committee – Study of Registration of HCP & 7.55 Report on Registration of Health Care Professionals Study Workgroup	<p>The Registration of Health Care Professionals workgroup met February 2<sup>nd</sup> to begin developing recommendations for the Long Term Care Committee for providing one registry for CNA and UAP. A second meeting is planned for March 22<sup>nd</sup>. The UAP and CNA registry statistics were reviewed at the last meeting. A report was given by the Dept of Health to the ND Legislative Long Term Care Committee on March 10, 2010. The Committee requested that the Department of Health prepare a budget for the cost of combining the two registries. The board discussed that there is not a problem with combining the registries, but the issue is how it is managed and the differences in regulation, in particular with disciplinary issues. The board discussed continued support for the work of the task force, and that the focus should be protection of the citizens of ND. The board discussed lack of input from nursing and recommends the ND Leadership Council provide feedback on this issue.</p>
7.53 Communication with Senators and Representatives	<p>Traynor reported on discussions with two legislators at the State Board of Higher Education meeting held at LRSC. She spoke with Representative Bob Skarphol and Representative Curt Hofstad regarding use of simulators in the Dakota Nursing Program.</p>
7.54 Legislation related to establishment of a Center for Nursing	<p>No report.</p>
7.56 Board of Pharmacy emergency rule promulgation	<p>The Board of Pharmacy has adopted emergency rules for schedule substances which have an actual or relative potential for abuse; and which bear risk to the public health by unknown individuals using them by inhaling the smoke, vapors or by ingesting the substances. This is in response to reports of abuse of Bath Oil Salts and Incense.</p>
7.6 Website & Renewal	<p>The board reviewed the list of non-renewals of RNs and LPNs as of March 1, 2010. The list is posted on the home page of the NDBON website.</p>

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7.71. Scanning Proposal	<p><i>Discussion:</i> Administrative staff have attempted to catch up on a backlog of scanning documents into the computer database resource section. Due to the implementation of the criminal history record check process, the board is approximately one year behind in scanning documents. Staff have reviewed options for completing the project and indicate after hours or additional temporary help would be required. Due to the nature of the project, it is recommended that current staff who are willing may work additional hours beyond the forty hours per week and be compensated at a set hourly rate. All four administrative staff have expressed interest in working additional hours. Staff suggest the additional overage amount be taken from reserve funds.</p> <p><i>Motion:</i> Anderson, seconded by Traynor to:  <b>APPROVE THE PROPOSED PLAN TO ADDRESS THE SCANNING BACKLOG AND APPROVE \$3000 FUNDING FOR THE PROJECT THROUGH RESERVE FUNDS.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;  7 yes, 0 no, 1 absent. Motion carried.</p>
8.32 Prescriptive Authority Applicants ratified on consent agenda	<p>The following applicants have submitted applications for prescriptive authority since the last meeting:  <b>WADE OLSON, FNP, GRAND FORKS CP: DAVID RATHBONE, MD</b></p>
9.5 Nursing Practice Committee	<p>The board reviewed a list of applicants received for the Nurse Practice Committee for 2010-2011. The board agreed staff could continue to take applications for the committee until the next meeting.</p> <p><i>Motion:</i> Anderson, seconded by Sund to:  <b>APPROVE THE FOLLOWING TO THE NURSE PRACTICE COMMITTEE FOR 2010-2011:</b>  <b>MELISSA CRAWFORD, RN BECKY GRANER, RN</b>  <b>MELISSA HANSON, RN STACEY PFENNING, APRN</b>  <b>MARGARET REED, RN CHERYL RISING, APRN</b>  <b>TERESA SERIGHT, RN KATHY STEINKE, RN</b>  <b>GWEN WITZEL, APRN</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;  7 yes, 0 no, 1 absent. Motion carried.</p>
12.12 Approval of Revised NDBON Organization Chart	<p>The board reviewed a revised organizational chart that adds Board Committees and Task Forces to the chart.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to:  <b>APPROVE THE REVISED NDBON ORGANIZATION CHART.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;  7 yes, 0 no, 1 absent. Motion carried.</p>
12.3 Committee Appointments	<p><i>Discussion:</i> LaLonde is on two committees that meet at the same time. LaLonde will stay on the Nursing Education Committee and Christianson will serve on the Program Monitoring Committee.</p> <p><i>Motion:</i> Traynor, seconded by Christianson to:  <b>APPROVE THE APPROVED THE REVISED 2009-2010 BOARD OF NURSING COMMITTEE APPOINTMENTS.</b></p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes;  7 yes, 0 no, 1 absent. Motion carried.</p>

## CONSENT AGENDA:

8.1 NCSBN
8.11 NCSBN NCLEX examination Item Development Panel
8.12 Journal of Nursing Regulation
8.13 Expanded use of Resource Funds
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.32 Prescriptive Authority Applications
8.4 Workplace Impairment Program Report
8.41 Statistics
8.42 Summary Report
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing

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8.53 NCSBN NNAAP Item Development workshop/meeting – Jennifer Schultz, RN; Rhonda Pfenning, RN
8.6 Licensure
8.61 Licensed Nurse
8.62 UAP Statistics
8.63 NCLEX RN
8.64 NCLEX-PN
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel
8.9 Academic and Continuing Education
8.90 Lake Area Tech notification of one PN student participating in clinical experience in ND
8.91 Ratification of approval of continuing education for contact hours
8.92 MSCTC notification of 5 additional AASPN students participating in clinical experience in ND
8.93 Presentation College notification of 11 LPN-BSN students participating in clinical experience in ND.
8.94 NCTC notification of 150 AASPN students participating in clinical experience in ND.
8.95 USD notification of 5 AD students participating in clinical experience in ND.
8.96 Brodell thank you note for NEL
8.97 Communication with CE Vender and Florida Board of Nursing related to incomplete certificates issued to ND licenses
8.98 SDSU notification of 1 graduate FNP – student participating in clinical experience in ND
8.99 St. Louis University notification of 1 graduate level NP student in clinical experience in ND.

### BOARD COMMITTEES:

9.0 Program Monitoring Committee	May 19, 2010
9.1 Nursing Education Committee	March 10, 2010 (cancelled), May 19, 2010
9.2 Finance Committee	April 22, 2010 @ 10 a.m.
9.3 Executive Committee	
9.4 Prescriptive Authority Committee	March 11, 2010
9.5 Nursing Practice Committee	April 21, 2010
9.6 Prescription Drug Monitoring Program Committee	March 26, 2010

### UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 10-13, 2010
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:
10.2-1 Policy Call -
10.2-2 Education Consultant Network – Feb 11
10.2-3 Discipline Networking Call – February 9
10.2-4 EO Network – February 22
10.2-5 NLCA Meeting – March 7, 2010
10.2 – 5a Compact State Discipline, Compliance and Issues Call – February 9, 2010
10.2-6 Mid-Year Meeting – March 7-10, 2010 – March 13-16, 2011 Benson reported on highlights of the NCSBN Midyear meeting. Sessions involved the importance of orientation of board members, the size and composition of boards, recording reasons for no votes in the minutes, and media relations. The board discussed media relations as a topic for fall retreat.
10.2-7 NCSBN Executive Officers Leadership Seminar – June 22-23
10.2-8 Annual Institute of Regulatory Excellence – January 19-22, 2010
10.2-9 IRE Committee – Feb 8; March 30-31
10.2-10 Attorney/Investigator Symposium – May 24-26
10.2-11 NCLEX Invitational – September 13
10.2-12 Practice Consultant – February 17
10.2-13 NCLEX Examination Committee – January 19-21, 2010
10.2-14 Workshop on Regulation of Unlicensed Assisted Personal (UAP) – June 29-30, 2010
10.2-15 TERCAP User Conference Call



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10.2-16 Uniform Core Licensure Requirements – February 17-18
10.2-17 Unlicensed Assistive Personnel Workshop – June 29-30
10.2-18 IT Summit – May 11-12, 2010
10.2-19 2010 NCSBN Substance Use Disorder Guidelines Forum – April 27 & 28
10.3 ND Nurse Leadership Council, April 9
10.4 ND Organization of Nurse Executives – Feb 5
10.5 ND Nurses Association
10.6 ND Rural & Public Health Conference – April 13-15, 2010
10.7 ND LTCA Conference
10.8 ND Health Care Association Annual Meeting
10.9 Center Champion Nursing America Capacity Summit Team – March 12.
10.10 ND Hospital Tele-Pharmacy Project Report
10.11 Caregiver Services Advisory Committee – March 25
10.12 CNA & UAP Registry Meeting – Feb 2, March 22
10.13 Stakeholders Meeting on MSE – January 25

### Staff Presentations:

11.1 Nurse Delegating Effectively, NADONA, Grand Forks, February 11, 2010

11.2 CMS National DSW Resource Center Webinar on Nurse in Home Care - February 17, 1:30 – 3:00

The meeting recessed for lunch from 11:50 a.m. and reconvened at 1:10 p.m.

The meeting adjourned at 2:50 p.m. on March 11, 2010.

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Constance B. Kalanek, RN, PhD  
Executive Director  
Draft 3/19/2010